IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

Notice of Motion No. 4065 of 2006
in
Summ.Suit No. 1447 of 2005

Mr.Suresh N.Rasal ..Plaintiff

vs.

Mr.Assan N.Golani
since deceased through
Jagdish Golani ..Defendant

and

The concerned Officer
L.I.C. Housing Finance ..Respondent

Mrs.S.A.Dhamale for plaintiff
Mr.R.B.Singh for respondent.

CORAM: S.C.DHARMADHIKARI J.
16th July, 2007

P.C.

1. Heard Mrs.Dhamale appearing for the plaintiff and Mr.Singh appearing for the respondents. The respondents are duly served and affidavit proving service is filed by Mrs.Dhamale. She states that the copy of the notice of motion and affidavit in support was duly served on the L.I.C. Housing Finance Corporation and the plaintiff's advocate was informed that the subject immovable property has already been sold by the respondents and consideration amount is lying with them. After adjusting the same towards the dues of the LIC Housing Finance Corporation, the LIC Housing Finance Corporation is agreeable to deposit the balance sum in this Court.

2. None appears for the defendants today, although on the last occasion time was sought on their behalf and the matter was adjourned. Today, Mr.Jadhav does not appear for the LIC but considering that no prejudice would be caused to the parties if the Notice of Motion is made absolute interms of prayer clause (b). Accordingly, LIC Housing Finance Corporation is directed to deposit the balance sum in this Court within a period of six weeks from the date of receipt of the copy of this order. Notice of Motion is made absolute in terms of prayer clause (b) with no order as to costs.

3. All concerned parties to act on authenticated copy of this order.

(S.C.DHARMADHIKARI J.)